

Date 2/28/17
Time 15:26:00

PALM BAY POLICE DEPT
Offense Report

RECEIVED

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FEB 28 2017

Program CMS3011

Case Number 1-17-001658 Dept Classy. Assault - Aggravated
CAPIAS (Y/N) Felony Day Of Week Wednesday
Report Date 2/16/17 0 20 Occur From Date 2/15/17 17 51
Occur To Date 2/16/17 0 18 Case Status Cleared by Arrest
Case Status Dt 2/16/17 Juvenile No
Alcohol Related No Drug Related? No
Location Information
Location Type Residence - Single Occupancy
Street Number 103 NW AMERICANA BLVD / ALMOND
City PALM BAY FL 32907
County BREVARD Zone Assignment North
Grid Z07D223
Employee Information
Report Officer AUSTIN - 173 RYAN
Supervisory Emp EAKINS 23 JESSE 2/16/17

***** ADDITIONAL TIMES *****
Case Number 1-17-001658 Date Dispatched 2/15/17 18 00
Date Responded 2/15/17 18 01 Date Arrived 2/15/17 18 05
Date Cleared 2/16/17 08 18

***** CASE MANAGEMENT INFORMATION *****
Case Number 1-17-001658
Case Management Details
Dept Class Assault - Aggravated Case Status Cleared by Arrest
Case Status Dt 2/16/17 Investigator SHEDRICK - 187 K

TICKLER HISTORY

Case Number 1-17-001658
Reason Supervisor-Review Supplement
Description REVIEW REPORT OUR CASE CLEARED BY
Desc - cont ARREST Due Date 2/23/17
Completion Date 2/27/17 Officer AUGELLO - 139 MARIANO
Case Number 1-17-001658
Reason Case-Closure Request to Supv
Description CASE CLEARED BY ARREST Due Date 2/23/17
Completion Date 2/23/17 Officer PUSATERE - 141 MICHAEL
Case Number 1-17-001658
Reason Supervisor-Review Supplement
Description REVIEW SUPPLEMENT Due Date 2/21/17
Completion Date 2/22/17 Officer PUSATERE - 141 MICHAEL

ASSIGNMENT HISTORY

Case Number 1-17-001658 Dept Unit Major Case Unit
Investigator SHEDRICK - 187 KEN Supervisor PUSATERE - 141 MICHAEL
Assignment Date 2/16/17

***** OFFENSE REPORT # 1 *****
Case Number 1-17-001658
Statute Desc ON OFFICER FIREFIGHTER EMT ETC
Weapon Type Firearm Statute/Ordin 784.07 (2C)
Attmp/Committ Committed Forced Entry Not Applicable
Structure Occup Not Applicable Evid Collected Yes
Repo Date 2/16/17 People Arrested 1

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State Dispo Adult or Adult with Juv clearance
UCR Disposition Cleared by Arrest
Attack Reason NONE/UNKNOWN-NONE (NO BIAS)
How/Where Entry Not Applicable Where Entry Not Applicable
Where Exited Not Applicable Crim Activity Unknown
Crim Activity Unknown
Location Type Residence - Single Occupancy
Arrest Case No 1-17-001658

ASSAULT INFORMATION

Case Number 1-17-001658 Victim PETER DOLCI III
Suspect ANDREW JOHN PASTOR UCR Circumst Other Circumstances

POLICE OFFICER ASSAULT/KILLED INFORMATION

Case Number 1-17-001658
Officer Information
Employee Number DOLCI - 81 PETER
Case Type Officer Assaulted - No Injury
Activity Mentally Deranged
Assignment Type One Person Vehicle - Alone
Yrs Experience 1 Wearing Armor Yes
Armor Prev Inj Yes Aware Ofndr Arm Yes
Dischg Firearm Yes
Offender Information
Charged Yes Injured Yes
Injury Severity Moderate Dischg Firearm No
Use Ofcr's Weap No Dist frm Offcr 10

ASSAULT INFORMATION

Case Number 1-17-001658 Victim DUANE ALLEN SMITH
Suspect ANDREW JOHN PASTOR UCR Circumst Other Circumstances

POLICE OFFICER ASSAULT/KILLED INFORMATION

Case Number 1-17-001658
Officer Information
Employee Number SMITH - 128 DUANE
Case Type Officer Assaulted - No Injury
Activity Mentally Deranged
Assignment Type One Person Vehicle - Alone
Yrs Experience 2 Wearing Armor Yes
Armor Prev Inj Yes Aware Ofndr Arm Yes
Dischg Firearm Yes
Offender Information
Charged Yes Injured Yes
Injury Severity Moderate Dischg Firearm No
Use Ofcr's Weap No Dist frm Offcr 10

***** O F F E N S E R E P O R T # 2 *****

Case Number 1-17-001658
Statute Desc BAKER ACT INVOLUNTARY EXAMINATION
Weapon Type Not Applicable Statute/Ordin 394.463
Attmp/Committ Committed Forced Entry Not Applicable

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Structure Occup Not Applicable UCR Disposition Closed
How/Where Entry Not Applicable Where Exited Not Applicable
Location Type Residence - Single Occupancy

***** OFFENSE PRIMARY RELATIONSHIPS *****

Offense # 001 Aggravated Assault / / 784 07 (2C)
Property # 001 CD-COMPACT DISC / - EVIDENCE/SEIZED /
Property # 002 CD-COMPACT DISC / - EVIDENCE/SEIZED /
Property # 003 CD-COMPACT DISC / - EVIDENCE/SEIZED /
Name # 001 (SUSP) PASTOR ANDREW J
Name # 001 (VICT) SMITH DUANE A
Name # 002 (VICT) DOLCI, PETER
Name # 001 (OTHR) PASTOR, MARGARET L
Name # 002 (OTHR) SELENSKY DAWN
Name # 003 (OTHR) DIAS MARLENE

***** NAME PRIMARY RELATIONSHIPS *****

Name # 001 (VICT) SMITH DUANE A
Name # 001 (SUSP) PASTOR ANDREW J / Stranger
Name # 002 (VICT) DOLCI PETER
Name # 001 (SUSP) PASTOR ANDREW J / Stranger

***** PROPERTY INFORMATION # 1 *****

Case number 1-17-001658
Property Description
Property type CD-COMPACT DISC
Description LJ1/CD WITNESS OFFICER INTERVI
Desc Continued EWS Category EVIDENCE/SEIZED
UCR Prop Type Miscellaneous Quantity/weight 1
Value 1 00 Item No LJ1
Stolen Location
Recovery Information
Recovery Location

***** PROPERTY INFORMATION # 2 *****

Case number 1-17-001658
Property Description
Property type CD-COMPACT DISC Description KS-1/911 RECORDING
Category EVIDENCE/SEIZED UCR Prop Type Miscellaneous
Quantity/weight 1 Value 1 00
Item No KS-1
Stolen Location
Recovery Information
Recovery Location

***** PROPERTY INFORMATION # 3 *****

Case number 1-17-001658
Property Description
Property type CD-COMPACT DISC
Description KS-2/INTERVIEWS CONDUCTED BY D

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Desc Continued ET SHEDRICK
UCR Prop Type Miscellaneous
Value 1 00
Stolen Location
Recovery Information
Recovery Location

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Category EVIDENCE/SEIZED
Quantity/weight 1
Item No KS-2

***** S U S P E C T / A R R E S T E E I N F O R M A T I O N - # 1 **

Case Number	1-17-001658	Juvenile	ADULT
Prompt valid in	PASTOR ANDREW JOHN	Birth Date	9/16/1946 70
Maximum Age	70	Sex	Male
Race	White	Minimum Height	510
Minimum Weight	160		
Street Number	103 NW AMERICANA BLVD		
City	PALM BAY FL 32907		
HOME	321/984-0642	Birth State	NJ
Social Security	154368012	Oper Lic No	P236010463360 FL
Occupation	UNKNOWN	Arrest Case No	1-17-001658
Build	Slim	Hair Color	Blonde
Complexion	Light	Eye Color	Brown
Facial Hair	Unknown	Glasses	Unknown
Hair Length	Unknown	Status	Arrestee
Teeth	Unknown	Weapon Held	Handgun

***** V I C T I M I N F O R M A T I O N - # 1 *****

Case Number	1-17-001658	Prompt valid in	SMITH DUANE ALLEN
Street Number	130 SE MALABAR RD		
City	PALM BAY FL 32907		
WORK	321/952-3456	Birth Date	12/10/1985 31
Juvenile	ADULT	Sex	Male
Race	White	Height	510
Weight	180	Social Security	592521752
Oper Lic No	S530161854500 FL	Occupation	LAW ENFORCEMENT OFFICER
Can Identify?	Yes	SHIRT	POLICE UNIFORM
COAT	NONE	Eye Color	Unknown
Facial Hair	Unknown	Glasses	Unknown
Injury Extent	None	Injury Type 1	N/A
Injury Type 2	N/A	Hair Length	Unknown
Residency Type	Agency City	Residency Stats	Full year
Victim Sobriety	SOBER	Teeth	Unknown
Victim Type	Law Enforcement Officer		
File Charges?	Yes		

EMPLOYER INFORMATION

Case Number 1-17-001658
Employer Name PALM BAY POLICE DEPARTMENT
Address MALABAR

***** V I C T I M I N F O R M A T I O N - # 2 *****

Case Number	1-17-001658	Prompt valid in	DOLCI PETER
Street Number	130 SE MALABAR RD		
City	PALM BAY FL 32907		

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WORK	321/952-3456	Birth Date	9/02/1990 26
Juvenile	ADULT	Sex	Male
Race	White	Height	600
Weight	185	Social Security	589040130
Oper Lic No	D420660903220 FL	Occupation	LAW ENFORCEMENT OFFICE
Can Identify?	Yes	SHIRT	POLICE UNIFORM
COAT	NONE	Eye Color	Unknown
Facial Hair	Unknown	Glasses	Unknown
Injury Extent	None	Injury Type 1	N/A
Injury Type 2	N/A	Hair Length	Unknown
Residency Type	Agency City	Residency Stats	Full year
Victim Sobriety	SOBER	Teeth	Unknown
Victim Type	Law Enforcement Officer		
File Charges?	Yes		

EMPLOYER INFORMATION

Case Number 1-17-001658
Employer Name PALM BAY POLICE DEPARTMENT
Address MALABAR

***** V I C T I M I N F O R M A T I O N - # 3 *****

Case Number 1-17-001658 Prompt valid in PASTOR, ANDREW JOHN
Street Number 103 NW AMERICANA BLVD
City PALM BAY FL 32907
HOME 321/984 0642
Juvenile ADULT
Race White
Weight 160
Oper Lic No P236010463360 FL
Arrest Case No 1-17-001658
Hair Color Blonde
Eye Color Brown
Glasses Unknown
Injury Type 1 Gunshot
Residency Type Agency City
Status Arrestee
Victim Type Individual - Adult

Birth Date	9/16/1946 70
Sex	Male
Height	510
Social Security	154368012
Occupation	UNKNOWN
Build	Slim
Complexion	Light
Facial Hair	Unknown
Injury Extent	Serious
Hair Length	Unknown
Residency Stats	Full year
Teeth	Unknown
Weapon Held	Handgun

***** O T H E R P E R S O N I N F O R M A T I O N - # 1 *****

Case Number 1-17-001658
Juvenile ADULT
Birth Date 1/21/1924
Race White
Weight 130
Home Address
Street Number 103 NW AMERICANA BLVD
City PALM BAY FL 32907
HOME 321/984-0642
Other Identifiers
Social Security 142185587
OL Expires 1/21/22
Complexion Fair

Person Type	OTHER PERSON
Last Name	PASTOR MARGARET LOUISE
Sex	Female
Height	502
Occupation	UNKNOWN
Oper Lic No	P236572245210 FL
Build	Thin
Eye Color	Unknown

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Facial Hair Unknown
Hair Length Unknown
Residency Stats Full year

Glasses Unknown
Residency Type Agency City
Teeth Unknown

***** OTHER PERSON INFORMATION - # 2 *****

*** SUPPLEMENT DETAILS ***

Report Emp/Dte/Time SHEDRICK - 187 KEN 2/22/17 17 52

Case Number 1-17-001658 Person Type OTHER PERSON
Juvenile ADULT Last Name SELENSKY DAWN
Sex Female Race White
Home Address
Street Number 219 ELM ST
City SOUTH AMBOY, NJ 08879
Other Identifiers
Oper Lic State FL Residency Type Out of State

***** OTHER PERSON INFORMATION - # 3 *****

*** SUPPLEMENT DETAILS ***

Report Emp/Dte/Time SHEDRICK - 187 KEN 2/22/17 17 56

Case Number 1-17-001658 Person Type OTHER PERSON
Juvenile ADULT Last Name DIAS MARLENE
Sex Female Race White
Home Address
Street Number 460 INMAN AVE 112
City COLONIA, NJ 07067
OTHER 732/382-4764
Other Identifiers
Oper Lic State FL Residency Type Out of State

***** NARRATIVE # 1 *****
CAD Information Reported By AUSTIN - 173 RYAN 2/15/17

Call#	170460355	Beat	Z07-SOUTH
Units	P102	Employees	0000005060 BANDISH - 102 MICHAEL
Units	P108	Employees	0000005580 RENKENS - 108 MARK
Units	P126	Employees	0000002696 GREY - 126 NATASHA
Units	P128	Employees	0000001225 SMITH - 128 DUANE
Units	P130	Employees	0000002695 RICHER - 130 PIERRE
Units	P131	Employees	0000002594 PIDGEON - 131 ANDREW
Units	P138	Employees	0000005707 IMEL - 138 CHRISTOPHER
Units	P141	Employees	0000005661 PUSATERE 141 MICHAEL
Units	P160	Employees	0000001356 GRAY - 160 SAYGE
Units	P163	Employees	0000002425 HENTSCHEL - 163 MARLENA
Units	P167	Employees	0000002928 TRAMMELL 167 MARK
Units	P173	Employees	0000001306 AUSTIN - 173 RYAN
Units	P183	Employees	0000006377 ELLIS - 183 DANIEL
Units	P185	Employees	0000001418 MARTIN - 185 CHRISTINA
Units	P187	Employees	0000001024 SHEDRICK 187 KEN

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Units	P190	Employees	0000003256	RICHARDS - 190	CHRISTOPHER
Units	P2	Employees	0000005589	RESH - 02	JOHN
Units	P208	Employees	0000001211	SCHUCK - 208	KYLE
Units	P210	Employees	0000001226	ROLPH - 210	AMANDA
Units	P211	Employees	0000001337	LOGAN - 211	JONATHAN
Units	P214	Employees	0000002793	FOOKS - 214	TYLER
Units	P218	Employees	0000001181	MORROW - 218	TRUSTEN
Units	P222	Employees	0000001184	GALIOTO - 222	VINCENT
Units	P227	Employees	0000001180	YUERGENS - 227	AARON
Units	P228	Employees	0000001316	WITTE - 228	ROBERT
Units	P229	Employees	0000001338	GOMEZ - 229	REINIER
Units	P23	Employees	0000005504	EAKINS - 23	JESSE
Units	P231	Employees	0000001421	WILLIAMS - 231	BRANDON
Units	P232	Employees	0000001454	BELL - 232	GORDON
Units	P36	Employees	0000001303	HAMILTON - 36	JOSEPH
Units	P43	Employees	0000005026	MOYA - 43	NELSON
Units	P70	Employees	0000005541	MORALES - 70	DAVID
Units	P81	Employees	0000001410	DOLCI - 81	PETER
Units	P86	Employees	0000002920	RODRIGUEZ - 86	VICTORIA
Units	P91	Employees	0000003201	NUNGESSER - 91	PHILIP

Veh 03 CHEV PK WHI GRDQ20 FL 1GCCS19X138170662

*** CAD Call Narrative ***

10-39 TO ID 23 FOR ADD TL UNITS ENTIRE CITY IS 10-51

10-39 TO ID 43 HE IS 10-51

10-39 TO ON CALL DVA KATHRYN SHAFFER

PAGE OUT FOR TWO UNITS FOR TCP NEEDED ASAP

NO PAGE OUT SENT TWO OFCS CALLED IN WHILE WORKING ON PAGE 0
227 AND 208 WILL BE 10-51

PAGE OUT REQ FOR PRISONER WATCH

PT IS IN ROOM A642 AND IN BED 2

ID 70 1051 1019 REF REISSUE OF WEAPON

ONE SET OF VCOPS RESP TO ALMOND/AMERICANA
VCOPS OS

REF VA PHONE NUMBER TO FIND OUT IF ANDREW
WAS A VET, NO 24 HR NUMBERS AVAIL, EVEN TRIED
THE LOCAL VFW PX ORLANDO VETERANS AFFAIRS
800 922-7521 OPEN MON FRI 0800-1600 HRS EXCEPT
NATIONAL HOLIDAYS IS ONLY PX AVAIL

10-39 TO BCFR TO RESPOND IN (X364)//

10-39 TO ID 108//

ID 55 IS ADV SHE IS ENROUTE//

DVA CATHERINE SCHAFFER IS ADV SHE IS CROSSING THE TILLMAN//
CANAL RIGHT NOW AND HAS HE RFLASHERS ON//

ID 184 CALLING IN TO FIND OUT WHO THE T88 OF THE PROPERTY IS
PER ID 184 CALL VETERANS HOTLINE TO FIND OUT IF THE SUBJ//
IS A VETERAN//

ID 36 IS COMING IN FOR T15 WATCH//

BCFR RUN #12338--PB RUN#1810//

COMPL IS CROSSING GUARD AT MINTON/AMERICANA
SHE KNOW THE RESD OF 103 AMERICANA

FEMALE MARGIE PAZTOR CALLED COMPL AND SAID
SHE IS REALLY CONCERNED FOR HER SON WHO HAS

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LOCKED HIMSELF IN THE ROOM
HE HAS A LOT OF MEDICAL PROBLEMS AND SHE
IS CONCERNED HE MAY BE TRYING TO HURT HIMSELF
AND THAT IS WHY HE IS NOT OPENING THE DOOR.
SON IS ANDREW ANDY' 68YO
MOTHER IS AT THE HOUSE WITH HIM BUT DID NOT WANT
TO CALL PD HERSELF BECAUSE SHE DID NOT WANT HIM
TO HEAR HER CALLING
PX FOR MARGIE 984 0642
10-39 TO FDLE THEY WILL BE CONTACTING ID 138
10-39 TO FDLE THAT ONLY AGENTS NEEDED
DVA SITTING ON SB MINTON APPX 1/4 MILE FROM AMERICANA
IN LIGHT BLUE CHRYSLER CONVERTIBLE WITH BLK TOP
UNABLE TO GET TO THE RESD
cleared scene 10-87
33 TRF PER ID 128
SHOTS FIRED PER ID 128
UNITS TRYING TO GET EYES ON SUBJ
ELDERLY MALE SUBJ DOWN
SIG 0 SECURED PER ID 81
HAVE FDLE 10-51 PER ID 138
OFFICER INVOLVED SHOOTING SUSP DOWN
NOTIFY STAFF DUTY ID 43 AND 108
NOTIFY ALL OF CHAIN OF COMMAND PER ID 138
ID 231 ADVISING 10-53 AND 10-12 WITH ID 128
PER ID 139 AND 138 FDLE AGENTS ONLY NEEDED WE WILL BE
USING BCSO CRIME SCENE
ID 222 IS 10-12 WITH SUBJ RIDING WITH PD TO PBER
ID 185 WILL FOLLOW TO PBER
DR 1658 ISSUED TO ID 173 PER ID 138
MEDIA STAGING POINT IS AMERICANA/ALMOND
ID 208 TAKING OVER TCP AT MINTON/AMERICANA
ID 227 TAKING OVER TCP AT ALMOND/AMERICANA
ID 218 RELIEVING ID 222 AT HOSPITAL FOR SUBJ WATCH
****CORRECTION**** SUBJ BEING TREATED AT HRMC ****
66 33 TRF

***** N A R R A T I V E # 2 *****
ORIGINAL Reported By AUSTIN - 173 RYAN 2/16/17

On February 15th 2016 at approximately 1805 hours Officer Smith and Officer Dolci responded to 103 NW Americana Boulevard in reference to a possible unstable male
While on scene the officers made contact with the male Andrew Pastor While Officer Smith and Dolci were on scene they requested emergency radio traffic and advised that shots had been fired
Officer's responded to the scene at which time the scene was secured The male suspect Andre Pastor was transported to Holmes Regional Medical Center for treatment
The Major Case Unit FDLE and Brevard County Sheriff's Office Crime Scene responded where the scene was turned over to them
For further information, refer to supplemental reports

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I remained on scene assisting with scene security and a crime scene log until approximately 0018 hours on February 16th 2017
No further action taken by this officer

***** N A R R A T I V E # 3 *****

*** SUPPLEMENT DETAILS ***

Report Emp/Dte/Time LOGAN 211 JONATHAN 2/16/17 20

SUPPLEMENTAL Reported By LOGAN 211 JONATHAN 2/16/17

On February 15 2017 at approximately 1800 hours I Officer Logan 211 responded to 103 Americana Blvd reference an officer involved shooting

Upon my arrival I was advised to stay available due to multiple units being on scene

No further action was taken by this officer

***** N A R R A T I V E # 4 *****

*** SUPPLEMENT DETAILS ***

Report Emp/Dte/Time TRAMMELL - 167, MARK 2/16/17 2:02

SUPPLEMENTAL Reported By TRAMMELL - 167 MARK 2/16/17

Statement provided to FDLE

***** N A R R A T I V E # 5 *****

*** SUPPLEMENT DETAILS ***

Report Emp/Dte/Time ROLPH - 210 AMANDA 2/15/17 22:17

SUPPLEMENTAL Reported By ROLPH - 210 AMANDA 2/15/17

On February 15 2017 at approximately 1800 hours I Officer Rolph responded to 103 Americana Blvd reference an officer involved shooting

Upon arrival I maintained a perimeter with my marked patrol vehicle on Americana Blvd at Almond Ave to direct traffic away from the scene I was relieved from my perimeter position by Detective Nungesser at approximately 1835 hours

***** N A R R A T I V E # 6 *****

*** SUPPLEMENT DETAILS ***

Report Emp/Dte/Time RODRIGUEZ - 86 VICTORIA 2/15/17 22:59

SUPPLEMENTAL Reported By RODRIGUEZ - 86 VICTORIA N 2/15/17

On said date and time I, Ofc Rodriguez #86 and PPO Boggess #204 each provided an audio statement to FDLE Please refer to the statements provided

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No enclosures

***** N A R R A T I V E # 7 *****

*** SUPPLEMENT DETAILS ***

Report Emp/Dte/Time RICHER - 130 PIERRE 2/15/17 22:35

SUPPLEMENTAL Reported By RICHER - 130 PIERRE 2/15/17

On 2/15/2017 I Palm Bay Police Corporal P Richer #130 responded to 103 Americana Blvd in reference to a shots fired call for service. Upon arrival I entered the residence I observed several officers in the room where the suspect was located I did not physically see the suspect due to the amount of officers in the room. Due to the amount of officers inside the residence I walked to the exterior and assisted officers by providing scene security and traffic control. A short time later I returned to service.

***** N A R R A T I V E # 8 *****

*** SUPPLEMENT DETAILS ***

Report Emp/Dte/Time MARTIN - 185 CHRISTINA 2/15/17 22:40

SUPPLEMENTAL Reported By MARTIN - 185 CHRISTINA 2/15/17

On February 15 2017 at approximately 1810 hours I arrived at 103 NW Americana BLVD reference shots fired, called out by my zone partners. Upon arrival I Officer Martin and FTO Galioto entered the residence which was full of gun powder smoke to find an elderly lady point us to the direction of where the incident happened. We approached the room to find Officer Dolci standing by the door frame of the bedroom and stated the subject was on the floor. I and FTO Galioto escorted Officer Dolci outside the residence. Officer Gray was assigned to stay with Officer Dolci. (See Officer Gray supplement for more information.) The subject was transported to Holmes Regional I followed the ambulance to the hospital and I was assigned for prisoner watch where I was later relieved by Officer Morrow ID 218. I was ultimately interviewed by the Florida Department of Law Enforcement. For further details refer to that interview.

***** N A R R A T I V E # 9 *****

*** SUPPLEMENT DETAILS ***

Report Emp/Dte/Time HAMILTON - 36 JOSEPH 2/16/17 2:19

SUPPLEMENTAL Reported By HAMILTON - 36 JOSEPH 2/16/17

On 02/15/2017 at approximately 2200 I, Palm Bay Police Officer Hamilton #36 responded to Holmes Regional Medical Center for prisoner watch. I was relieved on 02/16/2017 at approximately 0200 by ID#130.

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No further actions taken by this officer

***** NARRATIVE # 10 *****

*** SUPPLEMENT DETAILS ***

Report Emp/Dte/Time GRAY 160 SAYGE 2/15/17 22 43

SUPPLEMENTAL Reported By GRAY - 160 SAYGE 2/15/17

On February 15th 2017 at approximately 1800 hours I Officer Gray #160 responded to 103 Americana Dr NW in reference to a suicidal person and officer involved shooting. Upon arrival I made contact with Officer Dolci #81 outside the residence. I transported Officer Dolci to the Palm Bay Police Department while he awaited FDLE and FOP interviews. I remained with Officer Dolci until he was transported home by Officer Williams #231. No further action by this officer.
Enclosure(s)
None

***** NARRATIVE # 11 *****

*** SUPPLEMENT DETAILS ***

Report Emp/Dte/Time GOMEZ - 229 REINIER 2/15/17 22 17

SUPPLEMENTAL Reported By GOMEZ - 229 REINIER 2/15/17

I responded to 103 Americana Boulevard NW to relieve Officer Witte ID #228 and provided scene security in the rear of the residence until 2200 hours. I was then relieved by Officer Schuck ID #208. No further action taken by this officer.

Enclosure(s)
None

***** NARRATIVE # 12 *****

*** SUPPLEMENT DETAILS ***

Report Emp/Dte/Time GALIOTO - 222 VINCENT 2/15/17 23 59

ORIGINAL Reported By GALIOTO - 222 VINCENT 2/15/17

On 02/15/2017 I Officer Galioto heard one of my zone partners (who was on a call for service) request emergency radio traffic. Shortly after this I heard "shots fired" called over the radio. I responded to the residence (103 NW Americana Blvd). For information regarding my involvement refer to my interview with FDLE.

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*** SUPPLEMENT DETAILS ***

Report Emp/Dte/Time FOOKS - 214 TYLER 2/15/17 22 44

SUPPLEMENTAL Reported By FOOKS - 214 TYLER 2/15/17

See FDLE interview

***** NARRATIVE # 14 *****

*** SUPPLEMENT DETAILS ***

Report Emp/Dte/Time ELLIS - 183 DANIEL 2/15/17 22 17

SUPPLEMENTAL Reported By ELLIS - 183 DANIEL J 2/15/17

On 02/15/2017 I responded to 103 NW Americana Blvd out of briefing, in reference to shots fired Upon arrival I established the crime scene boundary by placing crime scene tape around the residence on the west side while other officers placed tape on the east side Once the crime scene boundary was established, I was released from the scene by my supervisor and resumed normal duties
No further action taken by this officer

ENCLOSURES

None

***** NARRATIVE # 15 *****

*** SUPPLEMENT DETAILS ***

Report Emp/Dte/Time BELL - 232 GORDON 2/16/17 1 45

SUPPLEMENTAL Reported By BELL 232 GORDON 2/16/17

Statement provided to FDLE

***** NARRATIVE # 16 *****

*** SUPPLEMENT DETAILS ***

Report Emp/Dte/Time WITTE - 228 ROBERT 2/16/17 2 33

SUPPLEMENTAL Reported By WITTE - 228 ROBERT 2/16/17

On 2/15/2016 at approximately 1810 hours I Officer Witte #228 responded to 103 Americana Ave in reference to an Officer advising shots fired
Upon arrival I immediately began setting up a perimeter around the crime scene with crime scene tape I remained on scene for crime scene security on the rear side of the house until approximately 1900 hours I responded back to the residence at approximately 2142 hours to relieve Officer Austin #173 for the crime scene log The crime scene was released at approximately 0320 hours No further action taken

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*** SUPPLEMENT DETAILS ***

Report Emp/Dte/Time IMEL 138 CHRISTOPHER 2/16/17 4 22

SUPPLEMENTAL Reported By IMEL - 138 CHRISTOPHER M 2/16/17

On 02/15/17 I responded to the area of 103 Americana Blvd NW in regard to shots being fired. While responding, heard reports over the police radio that officers were involved in the shooting and that the subject was down.

While responding, I ensured the chain-of command was notified via dispatch and rescue was dispatched. When I arrived on scene, I entered into the residence and observed Ofc Duane Smith #128 and Ofc Dolci #81 inside the residence. Ofc Smith was inside the door of a back bedroom and Ofc Dolci was in the hallway. I checked on the status of the officers and then walked into the bedroom where I observed a white male, lying on his left side on the ground. I also observed Ofc Trammell #167 crouched next to the male rendering first aid. I also observed several bullet casings in the front room of the house and in the hallway.

I asked where the firearm was located and Ofc Trammell stated it had been placed on the foot of the bed. I looked and saw a silver/chrome plated revolver on the foot of the bed. I asked the status of the subject and was advised that there appeared to be gunshot wound on his arm, not life threatening. I then ensured that both subject officers were assigned a companion officer per department policy and escorted them outside of the house.

While outside, Ofc Smith informed me that the subject had pointed a gun in their direction. There were no other statements made by either officer regarding this investigation to me. At this point, my duties turned to administrative and ensuring that the crime scene was protected. I eventually turned over command of the interior crime scene to Lt Augello #139 when he arrived on scene. I have no further information at this time.

***** N A R R A T I V E # 18 *****

*** SUPPLEMENT DETAILS ***

Report Emp/Dte/Time EAKINS - 23 JESSE 2/16/17 1 32

SUPPLEMENTAL Reported By EAKINS - 23 JESSE K 2/16/17

On 02/15/2017 around 1800 hrs I responded to 301 Americana Blvd NW reference to shots fired, where two officers were on scene investigating a possible suicidal subject who locked himself in his bedroom. I arrived on scene and assisted with the outer perimeter and placing crime scene tape around the outer crime scene. I did not enter the residence or have any contact with the officers involved in the shooting or the suspect.

I later was asked to take over Command of the incident from Cpl Fooks so that he and the officers who entered the residence could be interviewed by FDLE away from the scene. Around 0130 hrs I took over

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the perimeter position from Ofc Yuergens ID#227 so he could log off duty

I remained on scene until the crime scene was released

***** N A R R A T I V E # 19 *****

*** SUPPLEMENT DETAILS ***

Report Emp/Dte/Time WILLIAMS - 231 BRANDON 2/16/17 3 30

SUPPLEMENTAL Reported By WILLIAMS - 231 BRANDON 2/16/17

Please see sworn audio statement provided to FDLE for further information

***** N A R R A T I V E # 20 *****

*** SUPPLEMENT DETAILS ***

Report Emp/Dte/Time RICHARDS - 190 CHRISTOPH 2/15/17 22 25

SUPPLEMENTAL Reported By RICHARDS - 190 CHRISTOPHER 2/15/17

On February 15 2017 I responded to 103 Americana Blvd after officers reported that shots were fired

When I arrived I used my patrol vehicle to block the intersection of Americana Blvd at Minton Rd I then went into the house When I went in the front door there was an elderly female sitting in a chair near the door who looked visibly upset I made contact with her to ensure she was not injured as other officers went to the back of the residence After ensuring she was alright I stayed with her to calm her and to assist controlling the scene I was also tasked to watch three shell casings Two were on the floor near the chairs and one was in a chair The female mentioned to an officer that she had picked some (shell casings) up After the male was removed from the house by medical personnel I was relieved by Ofc Rodriguez (#86) Later I was tasked to take the 923 up to the hospital When I went to the suspects room I asked him if he knew about the criminal charges He said he did not I explained that he was going to be charged with two counts of attempted murder of a law enforcement officer He said that was not his plan but the officers were a good shot When they shot it knocked the gun from his hand He told me that he did tell the officers that if they did not leave he was coming out shooting and he did come out with the gun He also told me he has a lot of medical problems and was contemplating suicide At this time I have no further information

***** N A R R A T I V E # 21 *****

*** SUPPLEMENT DETAILS ***

Report Emp/Dte/Time HENTSCHEL - 163 MARLENA 2/16/17 4 58

SUPPLEMENTAL Reported By HENTSCHEL - 163 MARLENA M 2/16/17

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On February 15th, 2016 I Sergeant Marlena Hentschel responded to 103 Americana Blvd NW in reference to a call from Officers Smith and Dolci at a possible suicidal subject. Officer Smith had advised over the radio shots had been fired and indicated officers had been involved. I as well as multiple officers responded emergency mode. On arrival I parked past the residence and responded to the front door where I was met by Lt Imel. Lt Imel had assumed command and delegated me to oversee the scene inside the residence. As I entered the residence I observed an elderly female whom I later was informed was Margaret Pastor who was standing at the front door. I asked her to take a seat on a couch in the living room and entered a hallway and walked towards a back right bedroom where officers were rendering medical aid to a down subject in a back room. Due to the amount of Officers I remained in the hallway and quickly scanned the surroundings of the scene. I observed what appeared to be bullet holes in the transition between two doors and a firearm on a bed in the back room. I observed several officers in the room to include Officers Trammel, Austin, and Rodriguez accompanied by PPO's Bogges and Bell. I did not enter the room and exited the hallway. I observed three casings in the front room and requested Cpl Richards enter the residence and ensure as medical personnel entered they did not disturb any of this evidence.

Ofc Trammel and his PPO were requested to exit the room upon arrival of medical personnel. Ofc Austin was reassigned to Crime Scene security at the front door, and Ofc Rodriguez and her PPO were requested to maintain security of a firearm in the back bedroom. I exited the residence and did not re-enter. Outside I ensured the crime scene tape was applied around the perimeter and media staging area. I additionally ensured both subject officers had been assigned buddy officers and were removed from the scene. I remained on scene assisting Command in the gathering of information for staff and assisting on the perimeter as needed. No further action taken by this officer.

***** N A R R A T I V E # 22 *****

*** SUPPLEMENT DETAILS ***

Report Emp/Dte/Time YUERGENS - 227 AARON 2/15/17 22.24

SUPPLEMENTAL Reported By YUERGENS - 227 AARON 2/15/17

I responded to conduct traffic control at Americana Blvd NW and Almond Avenue NW. I remained at the spot until I was relieved. No further action taken by this officer.

***** N A R R A T I V E # 23 *****

*** SUPPLEMENT DETAILS ***

Report Emp/Dte/Time SCHUCK 208 KYLE 2/15/17 22.11

SUPPLEMENTAL Reported By SCHUCK - 208 KYLE 2/15/17

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In reference to this case I conducted traffic control at the intersection of Minton and Americana in addition to outer scene security No further action was taken by this Officer

***** N A R R A T I V E # 25 *****

*** SUPPLEMENT DETAILS ***

Report Emp/Dte/Time TILLET - 178 REBECCA 2/21/17 14 21

SUPPLEMENT Reported By TILLET - 178 REBECCA 2/21/17

Case Summary

On Wednesday February 15th, 2017 at approximately 1750 hours the Palm Bay Police Department (PBPd) received a call for service reference a mentally unstable individual At approximately 1805 hours Ofc Smith ID 128 and Ofc Dolci ID 81 responded on scene to 103 Americana Blvd NW

While on scene officers made contact with Andrew Pastor Ofc Smith requested emergency radio traffic and then advised that shots had been fired

Remaining officers responded on scene and secured the area The Florida Department of Law Enforcement (FDLE) responded to conduct an officer involved shooting investigation

Investigation

WEDNESDAY FEBRUARY 15th 2017

On Wednesday February 15th, 2017 at approximately 1900 hours I received a call from Sgt Pusatere ID 141 reference assisting with the initial officer involved shooting investigation Sgt Pusatere stated that a search warrant was needed for 103 Americana Blvd NW

At approximately 1930 hours I responded to the PBPd and began to type a search warrant

Once the search warrant was authored, it was then signed by the Honorable Judge Silverman A copy was provided to FDLE agents and to lead investigator Det Shedrick ID 187

No further action taken by this detective

***** N A R R A T I V E # 26 *****

*** SUPPLEMENT DETAILS ***

Report Emp/Dte/Time JONES - 89 LEWIS 2/22/17 16 03

SUPPLEMENT Reported By JONES - 89 LEWIS L 2/22/17

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On February 16th 2017 at approximately 1845 hours, I was requested to respond to the Palm Bay Police Department to assist with an officer involved shooting that occurred at 103 Americana Blvd. I was tasked with assisting FDLE Agent Brad Lewis with interviewing witness officers.

The first interview was conducted with Officer Gordon Bell. Officer Bell indicated he was working in the capacity of a PPO (Probationary Police Officer) and was riding with FTO (Field Training Officer) Trammell. Just after briefing concluded, a call for service reference a suicide threat was dispatched and Officer D. Smith and Officer Dolci resp. Shortly after the officers assigned to the call arrived, a radio transmission of shots fired was relayed. At that time, Officer Bell and Officer Trammell responded to the residence.

Officer Bell indicated he and Officer Trammell responded from the police station and estimated it took 2-3 minutes to respond. Once on scene, he and Officer Trammell entered the residence and made contact with Officer Smith and Officer Dolci. The officers were in the back bedroom to the right as one would walk down the hallway. Officer Bell observed an older white male lying on the floor with blood pooling at the area of his hand. Officer Bell began rendering aid to the male as Officer Trammell cleared the revolver that was lying on the bed. Officer Bell did indicate that the revolver had rounds of ammunition lying next to the revolver. Officer Bell indicated the wounded male was asking Officer Bell to shoot him. The subject kept repeating for Officer Bell to shoot him. Officer Bell continued to assess the subject and believed there were two gun wounds to his right arm. Officer Trammell then escorted the two officers involved in the shooting outside to be paired with other officers. Officer Bell remained with the subject until Fire Rescue arrived and took over. Officer Bell indicated he had no other involvement at the scene.

We then interviewed Officer Trammell who indicated the following: Officer Smith and Officer Dolci were dispatched to 103 Americana Blvd in reference to a suicidal subject. Officers had just cleared briefing and were still at the police station when Officer Dolci called out shots fired over the radio. He and Officer Bell responded to the scene. Once on scene, he went inside with Officer Bell and observed an elderly female in the front room. He asked where the officers were and heard Officer Smith yell to him from down the hallway. He went down the hallway to the room and made contact with both officers. He asked if they both fired their weapons and they indicated they did. He then escorted both officers outside and placed them with other officers while officers dealt with the scene. Officer Trammell advised when he was in the bedroom, he observed a revolver lying on the bed and the gun was unloaded. He observed an elderly male lying on the floor bleeding from the right arm. Officer Trammell indicated when he observed the revolver on the bed, he also observed 5-6 rounds of ammunition next to the gun. He heard the subject say something to Officer Bell and Officer Bell replied, "No we're not going to shoot you". Officer Trammell then asked Officer Bell what the subject said.

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Officer Trammell did not hear any additional comments from the subject or the subject's mother

An interview was then conducted with Officer Boggess who was working in the capacity of a PPO and was with FTO Rodríguez. Officer Boggess advised of the following. He was still at the station when officers on the scene of a suicidal subject advised of shots fired over the radio. He and Officer Rodríguez responded to the scene with multiple other officers. They entered the residence where he observed Officer Smith, Officer Dolci, Officer Bell, Officer Trammell and Cpl. Fooks. He observed a white male subject on the floor of the bedroom with a gunshot wound and also observed a revolver on the bed with approximately six rounds lying beside the gun. The cylinder to the gun was open. He remained next to the gun so it would not be disturbed by Fire Rescue personnel. Officer Boggess advised no one handled the firearm in his presence. He did hear the male subject on the floor asking officers to shoot him and that he wanted to die.

An interview was then conducted with Officer Williams who advised the following. Briefing had just concluded when he heard the radio traffic from officers on scene of shots fired. Officer Williams responded from the police department to the scene. He entered the house where he observed Officer Smith, Officer Dolci and Officer Trammell in the bedroom. Officer Trammell instructed him to escort Officer Smith outside and remain with Officer Smith. He then escorted Officer Smith back to the Palm Bay Police Department. Officer Smith never made any comments about the incident to him.

An interview was then conducted with Officer Galiato who was working in the capacity of a FTO and was with PPO Martina. Officer Smith and Officer Dolci responded to a call of a suicidal subject. Once briefing had concluded, he heard Officer Dolci call out shots fired over the radio. He and PPO Martina responded to the scene where they entered the front door with other officers. He observed an elderly female near the front door. He ran passed her and proceeded down the hallway where he observed Officer Smith and Officer Dolci. He walked to the bedroom threshold where he observed a white male subject on the floor and was bleeding. He then escorted Officer Dolci outside where he remained with Officer Dolci for approximately 10 minutes. He did not hear Officer Dolci or Officer Smith make any comments about the shooting. He remained outside until the subject was transported to the hospital. He rode in the ambulance with the male subject. The male did not make any comments to him about the shooting. He did hear the male tell the paramedics that he was shot. While at the hospital he did not hear the male make any comments about the shooting.

An interview was then conducted with Officer Martin who was working in the capacity of a PPO and working with Officer Galiato. Officer Martin advised she and Officer Galiato responded to the scene from the Palm Bay Police Department. She was aware that Officer Dolci and Officer Smith had responded to this location for a suicidal subject and had transmitted over the radio that shots were fired. Once they arrived on

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scene she went inside the residence with Officer Galiato and observed the elderly female. She saw Officer Dolci by the door but was not able to make it inside the bedroom where the subject was located. Due to the amount of officers in the bedroom she was positioned in the doorway of another bedroom. She then went outside with Officer Galiato and Officer Dolci. She then drove the patrol vehicle behind the ambulance to the hospital. She remained at the hospital until relieved. She did not hear the subject or either of the officers make any comments about the shooting.

An interview was then conducted with Officer Austin who stated the following. While officers were in briefing Officer Smith and Officer Dolci responded to a call of a suicidal subject at 103 Americana Blvd. Shortly after arriving on scene he heard Officer Smith transmit shots fired over the radio. He then responded to the scene where he ran inside the house and rendered aid to the white male subject lying on the floor. He cut off the subject's clothing to look for wounds. He observed wounds to his right arm but no others. He observed a silver revolver on the bed. Once rescue personnel arrived, he went outside and maintained the crime scene log until relieved by another officer. He did not hear either officer involved or the subject make any statements.

All the interviews were audio recorded and entered into Property and Evidence. No additional action taken by this officer.

***** N A R R A T I V E # 27 *****

*** SUPPLEMENT DETAILS ***

Report Emp/Dte/Time SHEDRICK - 187 KEN 2/22/17 17:45

INITIAL INVESTIGATION Reported By SHEDRICK 187 KEN L 2/22/17

WEDNESDAY, FEBRUARY 15TH 2017

CASE SYNOPSIS

On February 15th 2017 at approx 1752 hrs, Palm Bay Police Department responded to 103 NW Americana Blvd reference to a disturbance. The complainant Margaret Pastor contacted Palm Bay School Crossing Guard Pauline Tobar and requested police assistance because her son/Defendant Andrew John Pastor had locked himself in his bedroom. Margaret feared the Defendant was going to hurt himself. Tobar immediately notified this agency.

Ofc Duane Smith and Ofc Peter Dolci arrived on scene at approx 1805 hrs. Shortly after their arrival Ofc Smith yelled out shots had been fired. Additional patrol officers responded to the scene to assist. The Defendant was located inside the southeast bedroom suffering from a gunshot wound to the right arm. There were no reported physical injuries to the officers. Palm Bay and Brevard County Fire Rescue was summoned to the scene and the Defendant was

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transported to Holmes Regional Medical Center for what appeared to be non-life threatening injuries

INVESTIGATION

I arrived on scene at 1822 hrs. Upon arrival I made contact with Lt Imel who briefed me and Lt Augello on the investigation. According to Lt Imel at approx 1800 hrs this agency received a call reference to an elderly female inside the residence with her elderly son. The elderly female was later identified as Margaret Pastor and her son was identified as the Defendant Andrew John Pastor. Margaret reported that the Defendant was behaving in an unusual manner and had locked himself in his bedroom. Margaret was concerned the Defendant would harm himself. Ofc Smith and Ofc Dolci responded to the scene and entered the residence. At some point the two officers encountered the Defendant inside the residence. The Defendant pointed a firearm at the officers and multiple shots were fired by both officers.

Lt Imel stated he arrived on scene after the shooting and entered the residence. He found the Defendant in the southeast bedroom lying on the floor on his left side facing the bed. It initially appeared the Defendant had suffered two gunshot wounds to his right arm. Ofc Trammel secured the handgun and placed the handgun on top of the bed away from the suspect. It was undetermined at that time if the Defendant had discharged his firearm. Most of the shots occurred in or near the southeast bedroom. The only other civilian inside the residence was Margaret who was not injured.

Sgt Pusatere assigned me as the lead investigator for this agency. FDLE Agent Ryan Bliss initially arrived on scene. I was later informed that FDLE Agent Mark Mynheir will be the lead investigator for FDLE Brevard County Sheriff's Office Crime Scene Unit was summoned to the scene for processing. I did not enter the residence until after a search warrant was obtained for the residence. The search warrant was authored and obtained by Det Tillett.

ANDREW PASTOR INTERVIEW

On February 15th 2017 at 1907 hrs I arrived to Holmes Regional Medical Center and met with FDLE Agt Brad Lewis who allowed me to monitor his interview with the Defendant. The interview was conducted in the Trauma Unit and was audio recorded. The Defendant had just returned from a Cat-Scan. Ofc Galloto ID # 222 and Ofc Martin ID # 185 stood in the hallway outside the trauma room where the Defendant was located.

The Defendant was lying on his back on a hospital bed. I observed what appeared to be two wounds near his right wrist and right elbow. The Defendant appeared to be in some discomfort from his injuries but he was coherent. I stood on the left side of the hospital bed and Agt Lewis stood on the right side of the bed if one was facing the bed. The interview was led by Agt Lewis.

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Agt Lewis identified himself and me to the Defendant. Agt Lewis asked the Defendant to explain what occurred. The Defendant initially requested we come back in a few minutes to talk to him. Agt Lewis again asked the Defendant to briefly explain what occurred which at that time the Defendant agreed. According to the Defendant, he was resting in his bedroom with his bedroom door closed when the officers arrived to his residence. The Defendant did not know why the officers were at his residence but assumed his mother had summoned the police. He heard the officers in hallway outside his bedroom identify themselves. One of the officers identified himself as being the same officer who had responded the day prior. According to the Defendant, the day prior his sister who lives out of state summoned Palm Bay Police to his residence because he would not answer the phone. The sister was later identified as Marlene Dias.

The officers requested the Defendant to come outside his bedroom but the Defendant refused and told the officers to leave. One of the officers requested he be allowed inside the bedroom but the Defendant refused to open the door. Defendant told the officers to leave again but the officers refused to leave. Defendant stated he then told the officers he was going to count to three then he was going to exit his bedroom shooting. Defendant stated he was armed with a loaded .38 revolver. According to the Defendant, he counted to three then exited the bedroom.

He entered the hallway holding his handgun in his right hand but he could not confirm how he was holding the handgun. Defendant claimed he turned his head when he exited the bedroom and was subsequently shot. Defendant claimed he did not see the officers when he exited the bedroom. As the interview continued, the Defendant became agitated and requested we come back later to continue the interview with him.

I made contact with Holmes Regional Trauma Physician Dr. Peso and he stated it appeared the Defendant was shot once in the right arm. It appeared the bullet entered near his right wrist and traveled upward and exited near his elbow. This is consistent with the Defendant having his right arm raised outward when he was shot.

Upon leaving the hospital, I instructed Ofc. Gallito and Ofc. Martin to remain at the hospital to guard the Defendant. I made arrangements to have 24 hrs police security on the Defendant until he was released from the hospital due to pending charges.

The Defendant's mother was interviewed by Det. Mynheir. Witness officers were interviewed by FDLE Agents Ryan Bliss and Agent Brad Lewis. Det. Jones monitored the interviews. (See the appropriate supplements).

CRIME SCENE

At approx. 2215 hrs, I responded back to 103 NW American Blvd to

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visually examine the crime scene This was the first time I entered the residence BCSO Crime Scene Unit was on scene processing the scene FDLE Agt Mynheir was also on scene

The residence is located on the north side of the road and the front door faces south As I entered the living room I observed several casings on the living room floor

I walked down the hallway that leads eastward from the living room to the bedrooms There were several bullet holes on the hallway walls I observed several bullet holes in the hallway closet at the east end of the hallway between the northeast and southeast bedrooms

The first bedroom I encountered is located on the south side of the residence There were several through and through bullet holes located through the bedroom door and the adjacent wall that also borders the southeast bedroom Spent casings were also located in this room

The second bedroom I encountered is located on the southeast side of the residence This room was determined to be the Defendant's bedroom There were several through and through bullet holes through the door I observed a chrome revolver resting on the bed This handgun was later identified as a 38 Special revolver (SN # 5K2263) The bullets had been previously removed from the chamber and were resting on the bed next to the revolver The 38 Special revolver was fully loaded when it was recovered and did not appear to have been discharged

I observed no damage to the northeast bedroom I cleared the scene at approx 2245 hrs

THURSDAY FEBRUARY 16TH 2017

ANDREW PASTOR FOLLOW-UP INTERVIEW

On February 16th, 2017 at approx 0915 hrs FDLE Agent Brad Lewis and I conducted a follow-up interview with the Defendant at Holmes Regional Medical Center The Defendant had been removed from the Trauma Unit and was in a recovery patient room (Room # A642) Ofc Shields was present guarding the Defendant I read the Defendant Miranda Warnings and he advised he understood his rights and agreed to questioning

I requested the Defendant to explain the events that led to the shooting at his residence Defendant stated he was inside his residence with his mother when the police arrived on scene He didn't know who summoned the police but assumed it was his sister who called Defendant identified the southeast bedroom as being his bedroom He was inside his bedroom with the door closed when he heard the police in the hallway outside the bedroom requesting to speak with him One of the officers identified himself as being the same officer who responded the day prior (02/14/2017) A computer check through this

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agency CAD system revealed that on 02/14/2017 Ofc Dolci responded to the residence regarding a well-being check on the Defendant's mother (CFS # 17-0450377)

Defendant asked the officer to leave but the officer indicated he could not leave. Defendant stated he decided to exit the bedroom in an attempt to get the officer to kill him. Defendant warned the officers that he was going to count to three then he was going to exit the bedroom shooting. Defendant then opened the bedroom door armed with his loaded .38 revolver in his right hand. The northeast bedroom is located directly across from the Defendant's bedroom. He looked into the northeast bedroom but did not see anyone. He then turned his head to the left and saw a police officer. The officer then shot at the Defendant. According to the Defendant, the first shot struck him on the right arm. Defendant fell back into his bedroom after he was shot followed by what he assumed were several officers rushing into the bedroom.

Defendant stated he never discharged his firearm. Defendant could not confirm if he had pointed the handgun at the officer. Defendant stated it was intention to have the officer shoot him but it was not his intention to harm the officers. He determined that the officers did the right thing by shooting him. According to the Defendant, he is suffering from several medical conditions and has been contemplating suicide for the past several days. Defendant stated he is diagnosed with diabetes and he is HIV positive. Certain medication he takes influences him to have thoughts of suicide.

On February 16th, 2017 at 1200 hrs, I returned to Holmes Regional Medical Center and charged the Defendant with two counts of Aggravated Assault with a Firearm to Law Enforcement Officers.

Note: In the narrative of the 923 01, I indicated the Defendant was charged with Attempted Murder on a Law Enforcement Officer. This charge description was written in error and amended to Aggravated Assault with a Firearm to Law Enforcement Officers by Ofc Sielicki ID #217 with my permission.

FRIDAY FEBRUARY 17TH 2017

DAWN SELENSKY AND MARLENE DIAS PHONE INTERVIEW

On February 17th, 2017 at approx 1000 hrs, I conducted individual phone interviews with the Defendant's niece Dawn Selensky and his sister Marlene Dias. Both reside in New Jersey. Selensky stated the Defendant is suffering from several medical conditions and is a recovering drug addict. Selensky described the Defendant as being mentally unstable but she could not confirm if he was suffering from any mental disorders. The Defendant's mother, Margaret Pastor, previously informed Selensky that the Defendant has been displaying paranoia behaviors by thinking people are listening to his phone calls and he feared the government was after him.

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I made contact with the Defendant's sister, Marlene Dias and she stated that on 02/14/2017 during a phone conversation with the Defendant he informed her that one of his friends from AA (Alcohol Anonymous) was at the residence visiting. He also informed Dias that this friend was there to take care of their mother. When Dias expressed her disapproval of the friend taking care of her mother the Defendant disconnected the phone call. She immediately called the Defendant back several times but he would not answer the phone. This concerned Dias so she contacted the Palm Bay Police Department and requested they respond to the residence to conduct a well-being check on her mother.

Dias could not confirm if the Defendant is suffering from any mental disorders. She did describe the Defendant as being paranoid. She stated he often feared the police and thought drones were flying above his residence. According to Dias, approx two years ago the Defendant made threats to commit suicide by jumping off a bridge.

On February 17th, 2017, at approx 1800 hrs, the Defendant was released from Holmes Regional Medical Center. He was physical arrested and transported to the Brevard County Jail by Ofc Sielicki.

TUESDAY, FEBRUARY 21ST 2017

MARGARET PASTOR INTERVIEW.

On February 21st, 2017, at approx 1312 hrs, I conducted a video recorded interview with Margaret Pastor at the Palm Bay Police Department (the time displayed on the video is incorrect). Margaret's sister, Marlene Dias was present during the interview.

According to Margaret, on 02/15/2017 throughout the entire day the Defendant appeared depressed. He complained of pains to his right heel and other medical conditions he is suffering from. Margaret heard the Defendant say he didn't want to live anymore. He eventually went into his bedroom and closed the door. At some point after the Defendant entered his bedroom School Crossing Guard Pauline Tobar came by the residence for a visit. During the visit Margaret informed Tobar that the Defendant was not feeling well and had locked himself in the bedroom. Tobar immediately called the police.

When the police arrived on scene Margaret allowed them inside the residence. The officers asked Margaret for the location of the Defendant's bedroom. Margaret pointed out the location of the Defendant's bedroom. Margaret knew the Defendant kept a firearm in his bedroom but she never provided the officers with that information. Shortly after the officers walked towards the Defendant's bedroom Margaret heard gunshots. Margaret remained seated in the living room startled from the sounds of the gunshots. After the shots were fired Margaret located casings on the living room floor near the hallway. She removed some of the casings from the floor and placed them on a

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shelf or cable box According to Margaret, she did not hear any of the communication that occurred between the officers and the Defendant prior to the shooting

Margaret stated the Defendant has been depressed for the past several days leading up to the shooting. Due to his medical conditions the Defendant often indicated he didn't want to live anymore. According to Margaret, the Defendant is suffering from HIV, diabetes and Hepatitis C. The Defendant has never made any attempts to harm himself with a firearm but approx one year and a half ago the Defendant threatened to kill himself by jumping off a bridge.

911 RECORDING AND RADIO TRAFFIC

On February 22nd, 2017, I reviewed the 911 call and the radio traffic concerning the shooting at 103 NW Americana Blvd. On the 911 call Pauline Tobar is heard reporting the complaint to the operator. She informs the operator that Margaret Pastor complained to her that the Defendant had been locked in the bedroom all day refusing to speak to Margaret or open the bedroom door. Tobar further explained that Margaret feared the Defendant would harm himself. The operator asked why Margaret didn't call the police herself. Tobar explained that Margaret didn't make the call because she didn't want the Defendant to hear the phone call.

Regarding the radio traffic, Ofc Smith and Ofc Dolci are heard being dispatched to the 103 NW Americana Blvd reference to a possible suicide threat complaint. Shortly after arriving on scene one of the officers is heard requesting emergency traffic. Seconds later the same officer yells out, "Shots fired!" According to the CAD report, Ofc Smith was determined as the officer who requested emergency traffic and who yelled "Shots Fired!" Ofc Smith then requests dispatch to summon Palm Bay Fire Rescue. Additional officers are heard responding to the scene.

The 911 call and radio traffic were submitted into evidence (Evidence Item # KS-1). All interviews obtained by Det Shedrick were submitted into evidence (Evidence Item # KS-2).

The Palm Bay Police investigation regarding the shooting is turned over to the State Attorney's Office for review. FDLE case remains open pending further investigation.

Pursuant to FSS 938.27 the investigative cost incurred by this agency is \$927.28.

I swear/affirm the above & attached statements are true & correct.

Det. Ken Shedrick

Sworn to and Subscribed before me, the undersigned

Date 2/28/17
Time 15 26 00

PALM BAY POLICE DEPT
Offense Report

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authority on this _____ day of _____ 2017

Notary Public or Law Enforcement Officer
Conducting Official Investigation (F S S 117 10)

* * * * * END OF REPORT * * * * *